

costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so that it should contain not less than 80 per cent of milk fat and not more than 16 per cent of water.

HOWARD M. GORE, *Secretary of Agriculture.*

12662. Misbranding of LaDerma Vagiseptic discs, Arthur's Sextone tablets, Bick's nerve tonic, and Bick's Sextone pills. U. S. v. 5 Boxes of LaDerma Vagiseptic Tablets [Discs], et al. Decree entered ordering products destroyed. (F. & D. No. 15126. S. Nos. C-3104, C-3105, C-3106, C-3107.)

On July 11, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 5 boxes of LaDerma Vagiseptic discs, 11 boxes of Arthur's Sextone tablets, 11 boxes of Bick's nerve tonic, and 11 boxes of Bick's Sextone pills, at Clarendon, Tex., alleging that the articles had been shipped by the Palestine Drug Co., from St. Louis, Mo., on or about September 16, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (LaDerma Vagiseptic discs) "For * * * Amenorrhoea and other Uterine and Vaginal disorders * * * for * * * Amenorrhoea * * * Ulceration of the Uterus * * * Gonorrhoea"; (Arthur's Sextone tablets) "Designed to correct * * * the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, etc. * * * Sextone Tablets For Either Sex * * * Composed of * * * the Most Potent and Dependable Aphrodisiac Agencies," (circular) "Sextone Tablets * * * cases of exhaustion of nervous energy * * * stimulate * * * the Sexual Plexes * * * nourish the nervous system and build it up"; (Bick's nerve tonic) "Nerve Tonic for nervous prostration and bodily aches and pains. A nerve Tonic * * * for all female complaints * * * For Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex * * * for female weakness, heart trouble and where a general breakdown of the nervous system exists"; (Bick's sextone pills) "Sextone Pills * * * Composed of * * * Aphrodisiac Agencies."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the LaDerma Vagiseptic discs contained salt, alum, starch, milk sugar, and talc; the Arthur's Sextone tablets contained iron oxide, calcium carbonate, a compound of zinc, and extract of plant drugs, coated with sugar; the Bick's nerve tonic consisted of two products—brown tablets containing phosphorus and compounds of zinc and iron, coated with sugar and calcium carbonate, and yellow pellets containing compounds of iron, strychnine, and phosphorus, coated with sugar and calcium carbonate; the Bick's Sextone pills consisted of two products—chocolate-colored pills containing a small amount of extract of plant drugs, 50 per cent of sugar, 25 per cent of calcium carbonate, 7 per cent of iron oxide, and 7 per cent of powdered talc, and orange-colored tablets containing 31 per cent of metallic iron, 11 per cent of calcium carbonate, extract of nux vomica, and sugar.

Misbranding of the articles was alleged in the libel for the reason that the above-quoted statements, appearing in the labeling, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the said therapeutic effects.

On November 2, 1922, no claimant having appeared for the property, judgment of the court was entered, finding the products to be subject to condemnation, and it was ordered by the court that they be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture*

12663. Adulteration and misbranding of canned tomatoes. U. S. v. 150 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17868. I. S. No. 580-v. S. No. E-4508.)

On October 22, 1923, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 150 cases of canned tomatoes, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Metal Packing Co. from Baltimore, Md., on or about August

14, 1923, and transported from the State of Maryland into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Potomac Brand Hand Packed Tomatoes * * *. Packed By A. J. Lewis Walnut Point, Va."

Adulteration of the article was alleged in the libel for the reason that additional water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the labels on the cases containing the article bore the following statement, "Hand Packed Tomatoes Our Extra Quality," which said statement was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 10, 1924, Andrew J. Lewis, Walnut Point, Va., having appeared as claimant for the property and the court having found the issues of the case for the Government, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

HOWARD M. GORE, *Secretary of Agriculture.*

12664. Adulteration of canned salmon. U. S. v. 156 Cases, et al., of Salmon. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. Nos. 17316, 17437, 17442. I. S. Nos. 2108-v, 2109-v, 2110-v, 2111-v, 2112-v, 2113-v. S. Nos. E-4318, E-4341, E-4346.)

On or about March 1, 1923, and on March 27 and 29, 1923, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 469 cases of salmon, remaining in the original unbroken packages at Buffalo, N. Y., consigned by Griffith Durney & Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., in various consignments, namely, on or about September 23, October 21, and December 29, 1922, respectively, and transported from the State of Washington into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Klawack Brand Fresh Alaska Pink Salmon Packed At Klawack, Alaska, U. S. A. By The North Pacific Trading And Packing Company San Francisco, Cal."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed animal substance.

On May 1, 1924, the cases having been consolidated into one action and the North Pacific Trading & Packing Co., San Francisco, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department and the bad portion destroyed.

HOWARD M. GORE, *Secretary of Agriculture.*

12665. Adulteration of shell eggs. U. S. v. 43 Cases of Eggs. Product examined; bad portion destroyed and good portion released. (F. & D. No. 17734. I. S. No. 6351-v. S. No. C-4082.)

On July 17, 1923, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 43 cases of eggs, at Memphis, Tenn., consigned July 11, 1923 alleging that the article had been shipped by Cockman Bros. Produce Co., Thayer, Mo., and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 20, 1923, The Cochran Produce Co., Thayer, Mo., having appeared as claimant for the property, and the product having been theretofore examined